

1 **REPTS COCHRAN**  
 2 **DCMN KRISTOFFERSEN**  
 3  
 4 **EXECUTIVE SESSION**  
 5 **COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT**  
 6 **U.S. HOUSE OF REPRESENTATIVES**  
 7 **WASHINGTON, D.C.**

1 **DEPOSITION OF: THOMAS JAY SCHNEIDER**

5 **Wednesday, December 10, 1997**

7 **Washington, D.C.**

0 **The deposition in the above matter was held in Room 2247,**  
 1 **Rayburn House Office Building, commencing at 3:10 pm.**

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 6 **Appearances:**  
 7  
 8 **Staff Present for the Government Reform and Oversight**  
 9 **Committee: James C. Wilson, Senior Investigative Counsel;**  
 10 **Robert J. Dold, Jr., Investigative Counsel; Elliot Berke,**  
 11 **Counsel; and Michael J. Yeager, Minority Counsel.**  
 12  
 13 **For MR. SCHNEIDER:**  
 14 **PAUL L. KNIGHT, ESQ.**  
 15 **Attorney at Law**  
 16 **1919 Pennsylvania Avenue, N.W.**  
 17 **Suite 800**  
 18 **Washington, D.C 20006-3483**

\*\*\* Notes \*\*\*

1 Mr. Wilson. On the record. Good afternoon. I, on  
 2 behalf of the members of Government and Reform and Oversight,  
 3 thank you very much for appearing here today.

4 This proceeding is known as a deposition. The person  
 5 transcribing this proceeding is a House reporter and notary  
 6 public, and I will now request that the reporter place you  
 7 under oath.

8 THEREUPON,

9 **TOM SCHNEIDER,**

0 a witness, was called for examination by Counsel and after  
 1 having been first duly sworn, was examined and testified as  
 2 follows:

3 **Mr. Wilson. For the record, I will note those who are**  
 4 **present at the beginning of this deposition. My name is James**  
 5 **Wilson, and I am the designated Majority counsel. I am**  
 6 **accompanied today by Bob Dold and by Elliot Bake. Michael**  
 7 **Yeager is the designated Minority counsel. Mr. Schneider is**  
 8 **represented by Mr. Knight.**

9 **Although this proceeding is being held in a somewhat**  
 0 **informal atmosphere, because you have been placed under oath,**  
 1 **your testimony here today has the same force and effect as if**  
 2 **you were testifying before the committee or in a courtroom.**  
 3 **If I ask you about conversations you have had in the past and**  
 4 **you are unable to recall the exact words used in the**  
 5 **conversation or conversations, you may state that you are**

1 Unable to recall those words, and then you may give me the  
 2 gist or substance of any such conversation to the best of your  
 3 recollection.

4 If you recall only part of a conversation or only part of  
 5 an event, please give me your best recollection of that  
 6 conversation or event. If I ask you whether you have any  
 7 information about a particular subject and you have overheard  
 8 other persons conversing with each other regarding that  
 9 subject or have seen correspondence or documentation about  
 10 that subject, please tell me that you do have such information  
 11 and date the source from which you derive such knowledge.

12 Majority and Minority committee counsel will ask you  
 13 questions regarding the subject matter of this investigation.  
 14 Minority counsel will ask questions after Minority counsel has  
 15 finished. After the Minority counsel has completed  
 16 questioning, a new round of questioning may begin.

17 Members of Congress who wish to ask questions, should  
 18 they attend today's deposition, will be afforded an immediate  
 19 opportunity to ask their questions. When they are finished,  
 20 we will resume at the point we left off.

21 Pursuant to the committee's rules, you are allowed to  
 22 have an attorney present to advise you of your rights.

23 Any objection raised during the course of this deposition  
 24 shall be stated for the record. If the witness refuses to  
 25 answer a question, Majority and Minority counsel will confer

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1 to determine whether the refusal is proper. If Majority and  
 2 Minority counsel agree that the question is proper, the  
 3 witness will be asked to answer the question. If an objection  
 4 is not withdrawn, the chairman or a member designated by the  
 5 chairman may decide whether the objection is proper.

6 This deposition is considered as taken in executive  
 7 session of the committee, which means that it may not be made  
 8 public without the consent of the committee, pursuant to  
 9 clause 2(k)(7) of House Rule XI.

10 No later than 5 days after your testimony is transcribed,  
 11 and you have been notified that your transcript is available,  
 12 you may submit suggested changes to the chairman. It has been  
 13 the case in the last week that transcripts are made availabl  
 14 quite quickly, and I assume they will be ready for review  
 15 within 2 days of today. We will inform you immediately, and  
 16 we will work out a mutually agreeable schedule, and obviously  
 17 we will do whatever we can to accommodate anybody's needs to  
 18 review the transcript.

19 Committee staff may make typographical and technical  
 20 changes requested by you. However, substantive changes,  
 21 modifications, or clarifications must be accompanied by a  
 22 letter requesting the change and a statement of your reasons  
 23 for each change.

24 A letter requesting substantive changes must be signed by  
 25 you and will be included as an appendix to the transcript,

1 conditioned upon your signing of the ultimate transcript.

2 EXAMINATION BY MR. WILSON:

3 Q Do you understand everything we have gone over so  
 4 far?

5 A Yes, I do.

6 Q If you don't understand a question, please say so,  
 7 and I will repeat it or rephrase it so you do understand the  
 8 question.

9 Do you understand that you should tell me if you do not  
 10 understand my question?

11 A Yes, I do.

12 Q The reporter will be taking down everything we say  
 13 and will make a written record of the deposition. Please give  
 14 verbal and audible answers in order to assist the House  
 15 reporter.

16 If you can't hear me, please say so and I will repeat the  
 17 question or ask the reporter to read the question back

18 Your testimony is being taken under oath as if we were in  
 19 court or before the committee, and if you answer a question,  
 20 it will be assumed that you understood the question and the  
 21 answer was intended to be responsive to the question.

22 It is my understanding that you are here voluntarily  
 23 today, and I thank you very much for appearing voluntarily.

24 Do you have any questions about this deposition before we  
 25 begin?

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1 A No, I do not.

2 Mr. Wilson. Mr. Knight, if you have any observations, or  
 3 Mr. Yeager?

4 Mr. Knight. The only observation I had, you made a  
 5 statement and I didn't take it down specifically, about him  
 6 disclosing information or comments that he received, and I  
 7 would just indicate that that would exclude matters that k  
 8 learned through the attorney-client privilege. That would k  
 9 it.

10 Mr. Yeager. I have a brief statement to make.

11 This deposition apparently relates to the Interior  
 12 Department's denial of an application by three Indian tribes  
 13 to place land in trust for development of a casino project in  
 14 Hudson, Wisconsin. On behalf of the Minority, I object to  
 15 this deposition and all depositions taken on this matter. The  
 16 Hudson casino matter has been investigated by the Senate  
 17 Governmental Affairs Committee. It is being investigated by  
 18 the Department of Justice. I understand that the Committee on  
 19 Resources has commenced its own investigation. In the view of  
 20 the Minority, this is duplicative, unnecessary, and a waste of  
 21 taxpayer resources.

22 As I have said before, it is not that the Minority  
 23 disputes the committee's power to proceed with the inquiry; it  
 24 is, however, that it is an unnecessary exercise of that  
 25 power.

1 That is all.

2 BY MR. WILSON:

3 Q Thank you.

4 Mr. Schneider, would you please state your full name for  
 5 the record and spell your name?

6 A Thomas Jay, J-A-Y, Schneider, SC-H-N-E-I-D-E-R

7 Q Did you attend college?

8 A Yes.

9 Q Where did you attend college?

10 A Harvard University.

11 Q Did you attend any graduate schools after Harvard?

12 A Following Harvard, I went to Oxford University and  
 13 took a doctor of philosophy degree, and then I went to Harvard  
 14 Law School and took a JD.

15 Q And if you could -- and I will emphasize the brief  
 16 part of this -- provide a brief employment history from  
 17 graduation from law school until the present?

18 A From law school?

19 Q Yes.

20 A Following law school, I went to work in the  
 21 Washington office of a Chicago-based firm by the name of  
 22 Seyfarth, Shaw, Fairweather & Geraldson for 2 years, and in  
 23 the early September of 1982 I created a new law firm with two  
 24 lawyers in New York, called Quasher, Richter & Schneider.  
 25 In 1984, Alan Quasher and I created a consulting firm

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1 called Restructuring Associates that operated in parallel end  
2 simultaneously with the law firm. So I had two careers.

3 In 1991, the law firm was dissolved and I became a  
4 general partner et O'Connor & Hannan. Simultaneously, I  
5 continued as the president and CEO of Structuring Associates,  
6 the consulting firm started in 1984.

7 In 1995, at the beginning of 1995, I went from being a  
8 general partner to becoming of counsel et O'Connor & Hannan,  
9 which is tk current status there, and I have continued  
0 through this process as the president and CEO of Restructuring  
1 Associates.

2 Q Apart from your counsel, have you discussed this  
3 deposition with anybody?

4 A My wife, my secretary, and the client I was baving a  
5 meeting with and supposed to be having a meeting with today in  
6 Chicago, that I left and left covered with another consultant  
7 in my firm.

8 Mr. Wilson. Actually, if I may go off the record for  
9 just a moment here.

0 [Discussion off the record.]

1 BY MR. WILSON:

2 Q Has anyone from the Department of Justice spoken  
3 with you about the Hudson Dog Track matter? And I think this  
4 is my last parenthetical, but just using shorthand to refer to  
5 Hudson Dog Track and land being taken into trust, et cetera, I

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1 will just refer to this as Hudson Dog Track. Has anybody from  
2 the Department of Justice talked to you about the Hudson Dog  
3 Track matter?

4 A I received a telephone call -- I don't know whether  
5 the FBI is part of the Department of Justice. I received a  
6 telephone call from an FBI agent, a woman by the name of Pat  
7 somebody, who called to ask about -- it was on a voice mail.  
8 I called up my counsel, and my counsel gave her a call, told  
9 her that we were doing this deposition and that after this  
10 deposition was over, if she still wants to talk to us, then I  
11 can talk to her.

12 Q When did you receive that telephone call?

13 A It would have been last week in the middle of the  
1 4 week.

5 Mr. Knight. I believe her name is Doyle or Douglas.

6 The Witness. Pat Doyle. I don't know whether she counts  
7 as part of the Department of Justice or not.

8 BY MR. WILSON:

9 Q I just used to work for the Attorney General, and we  
10 always hoped and thought they were part of the Department of  
11 Justice.

12 Apart from this deposition and apart from arranging the  
13 logistics of this deposition, have you spoken with any  
14 congressional personnel, members or staff, about the Hudson  
15 Dog Track matter prior to today?

1 A No.

2 Q Do you have any documents that refer to or pertain  
3 to the Hudson Dog Track matter in your personal possession?

4 A No.

5 Q Did you ever have any documents pertaining to the  
6 Hudson Dog Track matter in your personal possession?

7 A When you say "ever," what do you mean?

8 Q Presumably prior to the time that you now don't have  
9 any. But from 1994 until the present. I do understand that  
0 there are firm records from O'Connor & Hannan; we have  
1 subpoenaed them and received them. I am trying to determine  
2 whether there is anything outside of tk O'Connor & Hannan  
3 records.

4 A In that framework, the answer is no.

5 The reason I ask was that there seems to have perhaps  
6 been a fax that was sent to me that is in the O'Connor &  
7 Hannan files. I have no record of tk fax. I don't remember  
8 seeing it. It seems to have been separated from its cover  
9 sheet. It was not a letter to me, it was a copy of a letter  
0 that was sent by Pat O'Connor, and k was, I guess, cc-ing me  
1 or blind-copying me with a letter. I don't have e copy of it.  
2 I don't remember seeing it. If I did get it, I threw it away  
3 basically after reading it.

4 If that classifies as "ever," I may have at one point in  
5 time had something, other than, I ban nothing.

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1 Q Do you know who that letter was addressed to'?

2 A Since I never saw it or have no memory of it, no. I  
3 was told that it had been sent to me.

4 Q Given the nature of your status at O'Connor &  
5 Hannan, did you ever keep business records at any premises  
6 other than the O'Connor & Hannan offices that relate to Hudson  
7 Dog Track?

8 A No.

9 Q When did you first hear the name the Hudson Dog  
10 Track or St. Croix Meadows Greyhound Park?

11 A In this year, when a reporter from the Madison  
12 newspaper called me up and asked me about it, and I asked him  
13 what it was, and then k related it to the Indian tribes. So  
14 before this year, I had never heard of Hudson Dog Track.

15 Q In 1995, were you aware at all that there was an  
16 application process to try end take -- by Indian tribes, to  
17 take land into trust for the purposes of gaming in Wisconsin?

18 A Tk precise answer to your question is no, and I  
19 think we probably ought to have a little explanation.

20 My level of detail about this entire transaction is  
21 extremely superficial and that is why I didn't know about tk  
22 name, the Hudson Dog Track

23 I knew that there were groups of Indians that O'Connor &  
24 Herman represented that were opposing the license for a dog  
25 track. So I had kard about a dog track in Wisconsin. I

I didn't know it was Hudson until this year.

I didn't know that -- you said something about land was trying to go into trust. That I didn't know about. All I knew was there was a license, an application for a license for gaming at a dog track, and that was the level of detail that I knew.

Q And staying at that level of detail, when did you first hear about that general matter?

A It would have been early May -- I don't know the precise date -- in 1995.

Q And how did you hear about that matter?

A Pat O'Connor had called me in my offices at Restructuring Associates wanting to talk to me, and we finally connected, and he raised it at that point in time.

Q And at that time that he did raise the matter, what did k tell you about it?

A He -- after the exchange of pleasantries, k asked me if I could help him on a matter with a new client. I asked what the issue was. He said that O'Connor represented some Indian trii in the Minnesota area that had gaming interests today; that there was a dog track in Wisconsin that was applying for a license; that an Indian group was essentially fronting on the license, but in fact there was an independent party that was really driving this; and that we were trying to oppose that license because it would hurt the financial

interests of the group that we represented.

Q And did Mr. O'Connor ask you to do anything?

A He explained to me that he had had conversations with Harold Ickes in the White House asking for his help and that Harold had told him that he would look into it, and Pat had said that he had been trying to get in touch with Harold and had not been getting a response and was doubtful that Harold was actually going to look into it. He asked me if I would help get the White House to move forward on this issue.

Q And what did you tell Mr. O'Connor?

A I said if I had a chance, I would raise it.

Mr. Wilson. I have provided Mr. Schneider with a document which I have marked Exhibit TS-1. I will give you a moment to review that.

[Schneider Deposition Exhibit No. TS-1 was marked for identification.]

BY MR. WILSON:

Q It is dated June 27, 1995, a cover letter from Mr. Corcoran to Mr. Lewis Taylor, and it appears to be billing records for the month of May 1995.

I didn't mean to inflict this whole thing on you. There is only one entry I wanted to ask you about. On the second page, 11 lines from the bottom, there is a paragraph or a clause that reads, "Get report from Tom Schneider that he talked to President Clinton regarding status of matter."

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I will back up from this for just a moment. You discussed with Mr. O'Connor the basic subject matter, and k asked you to do something.

If you can, and it may shorten things as much as possible, if you could give me a chronological description of your involvement in what we now call the Hudson Dog Track matter. That might shorten things as much as possible, if you can tell me, to the extent of your recollection, each of the things that you did do that were pertinent to this matter.

A Okay. Following that conversation, about a week later there was an event at the Mayflower Hotel, and I received a call -- which is one block, half a block from my office -- that President Clinton was going to k there, and asking me to stop by, since I know the President.

I did basically after work, on the way to my car, parked on the other side of the Mayflower, I stopped by, I saw the President. It was a large reception. I talked to him for a few minutes, did not say anything about the Hudson Dog Track, and saw Harold Ickes there.

At that point in time, after sort of the greetings, I asked him if he had talked to Pat about the dog track, the Indian and dog track issue. He recalled that k had and said that k had told Pat that k was going to look into it. I said to Harold that I thought that it deserved looking into and I would appreciate it if k would. And that was the

extent of the conversation. It took literally 2 or 3 minutes; it may have gone up to 4 or 5, counting the initial introductions.

That would have been in the first half of May; I don't know the precise date. There is no record of it, or I have no record of it, but I remember it.

After that meeting, several days later, I called Pat and said that I had seen the President at this reception and that I had talked to Harold Ickes and that Harold recalled his conversation with Pat and said k was looking into it.

At that point in time, Pat -- a nice way of putting it was that k didn't express a great deal of credibility that Harold was going to follow up and expressed his frustration that Harold had not been returning calls, and I indicated to him that my experience, due to sort of a personal relationship in the White House, is when people say they are going to follow up, they usually follow up. Therefore, I said that I thought Harold would follow up. In other cases where k said k wouldn't, k didn't; this time k said k would

That was it. And Pat's closing comments were that he was concerned about that, and I said, well, you should try to follow up now with Harold directly; it would be appropriate since I had this conversation with him.

About 2 weeks later, I called the White House and had a 2- to 3-minute conversation at the most with Harold, and it

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1 was literally just following up to see -- I indicated that  
2 there were some doubts that had been expressed as to whether  
3 or not he was going to do this, and I was just checking to see  
4 whether he was going to follow up.

5 At that point in time, k said, again, vay nicely -- I  
6 am going to put it **very** nicely; ~~these~~ are not his exact  
7 words -- was that k told me k would follow up and therefore  
8 k would. And, again, that was a -- literally a couple-minute  
9 conversation.

10 I did not get back to Pat about it, and that was tk last  
11 time I heard about this matter until this year when I got a  
12 call from tk Madison reporter.

13 Q When you were having these discussions with  
14 Mr. O'Connor, did k indicate to you what k would like  
15 Mr. Ickes to do about the dog track matter?

16 A No more detailed than what k wanted was k wanted  
17 tk White House's help on the licensing matter, and that was  
18 the extent of the detail, because k had said k had already  
19 talked to Harold about the matter and k was asking me just to  
20 make certain that Harold followed up.

21 I didn't bother asking him what k wanted Harold to do,  
22 because at that point in time they would have been sort of  
23 getting to a third party who didn't know very much about the  
24 details to act as intermediary, and it just didn't make  
25 sense. So I didn't prok. It was literally Pat had said k

1 had talked to him, and I was saying to Harold, do what you  
2 said you were going to do with Pat, and that was really sort  
3 of the involvement. And because of tk relationships, I guess  
4 I have credibility that Pat did not think at this particular  
5 moment in time he had.

6 Q Is it accurate then to say that you assumed that  
7 whatever Mr. O'Connor specifically wanted Mr. Ickes to do had  
8 been discussed and tky bad personal interaction?

9 A Yes. Tbat was **very clearly implied**, that k had;  
10 Pat had asked something specific.

11 From my previous dealings with Pat in the firm, k has  
12 been around Washington, D.C., and tends to ask for very  
13 specific things as opposed to general things.

14 Q Now, turning to the document I gave you a moment ago  
15 marked TS-1, and referring to the second page of text --

16 A Illinefromtkbottom.

17 Q "Get report from Tom Schneider that k talked to  
18 President Clinton regarding status of matter." You have given  
19 me an explanation of what you told Mr. O'Connor, and this  
20 document speaks for itself. It is obviously -- well --

21 A It is a bill.

22 Q I think it does speak for itself. I can't  
23 characterize anything other than what it says here. But did  
24 you have any other subsequent conversations about your meeting  
25 with the Resident and with Mr. Ickes at the Mayflower Hotel

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1 other than the one you have described?

2 A No.

3 Q And you did state that you did not speak with the  
4 President about the Hudson Dog Track matter?

5 A I absolutely did not talk to the President then or  
6 ever about the dog track and Indians. I have talked to him  
7 about other Indians but not these.

8 Q Have you had any other involvements or client  
9 relationships with Indian tribes on gaming matters that  
10 involved greyhound dog racing tracks?

11 A No.

12 Q I promised no more parentheticals, but long pauses  
13 are good, because it means I am eliminating things from the  
14 questions and makes things go faster.

15 A That is okay.

16 Q So I will pause for a moment.

17 A Do you want this hack?

18 Q Actually, the housekeeping part of this is, we will  
19 ask for it back. If you want to keep it for now, it is  
20 probably best in case we go back and refer to anything.

21 I have given Mr. Schneider a document which has been  
22 marked TS-2, and it is a -- I should not have done what I just  
23 did, because I have given you a copy that is highlighted, but  
24 it is probably easier for you. Pretty much everything on the  
25 right-hand side of the page is highlighted. It refers to

1 getting report from --

2 Mr. Knight. Do you have another copy of that?

3 Mr. Wilson. I am do, I am sorry.

4 [Schneider Deposition Exhibit No. TS-2  
5 was marked for identification.]

6 BY MR. WILSON:

7 Q It is a handwritten note that is difficult to read,  
8 but it refers to, "getting report from Tom Synder, who talked  
9 to President re status of matter reporting to David Mercer,  
10 Tom Corcoran, call to John Sutton, at Harold Ickes office."  
11 Bearing in mind tkse are not your office and you may not have  
12 ever seen this before, have you ever seen this document  
13 before?

14 A No.

15 Q Do you have any knowledge that was obtained  
16 subsequent to May 16 of '95 about Mr. O'Connor telling other  
17 individuals about your meeting at tk Mayflower Hotel with tk  
18 President and Mr. Ickes?

19 A Yes, I do.

20 Q And what do you know about that?

21 A There is a civil lawsuit that is relating to this  
22 matter, and I was deposed in that lawsuit, and in the  
23 &position the attorney was asking me questions about tk  
24 matter, and k had previously deposed and discovered various  
25 documents from Pat O'Connor, so k was relating these things

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1 and was reading me various excerpts from different documents  
2 about how Pat O'Connor had characterized what had gone on and  
3 interpreted what had gone on, and was asking me to essentially  
4 verify or disabuse these characterizations. So, prior to  
5 1997, no.

6 Mr. Yeager. I think you ban testified to this before,  
7 but just to make it absolutely clear, when you talked to the  
8 President, it was not about the status of the Hudson Dog Track  
9 matter?

0 The. Witness. That is right. That is correct.

1 Mr. Wilson. I have given Mr. Schneider a document which  
2 has been marked Exhibit TS-3. It is not a single document, it  
3 is a small packet of documents that pertain to a fund-raising  
4 event that was held at Mr. Schneider's house on July 13,  
5 1995.

6 [Schneider Deposition Exhibit No. TS-3  
7 was marked for identification.]

8 BY MR. WILSON:

9 Q If you could take just a moment to flip through  
0 these pages.

1 A We were looking for these documents. I am glad they  
2 came to me.

3 Q I expect we will receive no thanks for compiling  
4 them.

5 A Actually, we were looking for them and couldn't find

1 them.

2 Q Do you know whether the White House Communications  
3 Agency was taping -- first of all, I don't want to establish  
4 too much foundation here. Is it correct to say on July 13,  
5 1995, a fund-raiser was kld at your house?

6 A Yes.

7 Q And that you had attended and the President attended  
8 the fund-raiser?

9 A Yes.

10 Q Are you aware of tk White House Communications  
11 Agency taping various parts of this fund-raising event?

12 A They are not the people that take still photographs;  
13 right?

14 Q They are not. They have control of some still  
15 photographs that are taken, but they do audio, visual.

16 A Okay. I know that they were there far the audio.  
17 There were people taking still photos. Until tk Washington

18 Post article of November 21st, we were unaware of the fact  
19 that anybody was taking any videos.

20 Q Have you reviewed the video that was taken of this  
21 event prior to today?

22 A No. Is it possible to get copies? Sorry.

23 Q I am the wrong person to ask, actually, on that  
24 front, but fair enough.

25 A For my kids, I would like to document it. Sorry.

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1 Q Well, I will make no representations on the record.  
2 Was the --

3 Mr. Yeager. Just so the answer is clear, you are not  
4 aware that the White House Communications Agency took videos?

5 The Witness. I am not aware that they took videos, and I  
6 have not seen them, and I do not have them in my possession.  
7 and I would like to get a copy.

8 BY MR. WILSON:

9 Q Did the Hudson Dog Track matter, that which we are  
0 roughly referring to as the Hudson Dog Track matter -- was it  
1 mentioned at any time during that night?

2 A No, absolutely not.

3 Q If you would refer to the second to the last page of  
4 the copies you have, which is a seating arrangement, one of  
5 the people listed -- it is cut off on tk left-hand side, but  
6 it appears to be Jamie Gorelick, spelkd incorrectly. But did  
7 Ms. Gorelick attend this event?

8 A She did. She didn't sit there. Sk is an old  
9 friend of mine from college, and sk arrived late, and it was  
0 thought to be indiscreet to have an empty seat at the  
1 President's table, so she was bumped and sat at an outer  
2 table.

3 Q And who was seated in her place?

4 A I am trying to remember. That is why we were  
5 looking for this material.

1 Mr. Knight. Do we have any photographs that would  
2 assist? Were they taking photographs there?

3 The Witness. The White House photographer took  
4 photographs of the table. So it is in the photographs.

5 Mr. Wilson. I don't. There is a videotape. I imagine  
6 somebody knows the people --

7 The Witness. I would recognize the people, because they  
8 were friends.

9 [Schneider Deposition Exhibit No. TS-4  
10 was marked for identification.]

11 BY MR. WILSON:

12 Q I have provided Mr. Schneider with a document that  
13 has been marked TS-4, and it again is an entry from  
14 Mr. O'Connor's daytimer, and I am going to refer to just one  
15 entry in this daytimer. At tk vay bottom of the entries, it  
16 says, "Dinner, Al Gore discussed" -- or "disc" -- "with Peter  
17 Knight and David Strauss."

18 Did Mr. O'Connor ever discuss with you any meetings that  
19 be may or may not have had with either the Vice President or  
20 Peter Knight or David Strauss?

21 A About this matter?

22 Q About the Hudson Dog Track matter, yes.

23 A No.

24 Q Were you aware of any contacts that either

25 Mr. O'Connor had or anybaib from the O'Connor & Hannan firm

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1 had with the Vice President, Peter Knight, or David Strauss?  
 2 A No.  
 3 Mr. Wilson. I have given Mr. Schneider a document which  
 4 has been marked Exhibit TS-5, and it is two pages, again, from  
 5 Mr. O'Connor's daytimer. The first page is dated May 5th, and  
 6 the second page is dated May 12th. The first page refers to a  
 7 number of things.  
 8 In particular, I am looking at a section that reads,  
 9 Indians-50 DNC-Larry Kitto, Committee to Reelect."  
 10 Then underneath that, there is a number that says, "3,  
 11 Committee to Reelect, briefing - May 9th," a word I am not  
 12 entirely certain of, "May 18, \$5,000," and then underneath  
 13 that, a dollar sign, 50; and tkn some other entries that also  
 14 have number figures.  
 15 On the second page, the Friday, May 12 entry, on the "to  
 16 do" side of Mr. O'Connor's calendar refers to, "Call Tom  
 17 Schneider (see May 5th.)"  
 18 [Schneider Deposition Exhibit No. TS-5  
 19 was marked for identification.)  
 20 BY MR. WILSON:  
 21 Q This is a long-winded question, but I will finally  
 22 get to it, and that is, did Mr. O'Connor call you at any time  
 23 and discuss any contributions from either the O'Connor &  
 24 Hannan fii or from Indian tribes that were related to the  
 25 Hudson Dog Track matter?

\*\*\* Notes \*\*\*

1 is no reason why you have to make sense of them. If they  
 2 refresh your recollection.  
 3 BY MR. WILSON:  
 4 Q Right.  
 5 A He just said he had talked to Harold Ickes.  
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\*\*\* Notes \*\*\*

1 A No. We talked about contributions from O'Connor &  
 2 Hannan, but that was not related to the dog track. I  
 3 solicited my partners for my fund-raiser, rather not very  
 4 successfully.  
 5 Q Do you know whether the reference to "see May 5th"  
 6 on the calendar, and then the different entries here -- do you  
 7 recall discussing any of the entries from the May 5 calendar  
 8 with Mr. O'Connor?  
 9 A Well, he had said that he had talked to Harold Ickes  
 10 about this and that k was following up with Harold Ickes to  
 11 me.  
 12 Mr. Yeager. on this date?  
 13 The Witness. No, k didn't give me dates.  
 14 Mr. Yeager. So do you know if this conversation took  
 15 place on the 5th?  
 16 The Witness. He talked to me early in May, and k said  
 17 that k bad, before our conversation -- k said that k bad  
 18 talked to Harold Ickes about the dog track and bad asked for  
 19 his help, and that was the basis for his asking me if I could  
 20 intervene with tk White House.  
 21 I don't remember -- looking at this, I don't remember him  
 22 mentioning Bruce Lindsey. He wouldn't have talked to me about  
 23 Don Fowler, because I don't know Don Fowler. And it was very  
 24 much within the White House. So --  
 25 Mr. Yeager. Tkse are Patrick O'Connor's notes. There

1 RPTS DOTSON  
 2 DCMN MAYER  
 3 Q Aside from Mr. Ickes, do you have any recollection  
 4 of discussions of any of the matters that are contained in  
 5 this memo? For example, there is a notation "50 DNC." I make  
 6 no representations as to what this means, but does this  
 7 refresh your recollection as to anything that occurred in a  
 8 phone conversation. if you did have a phone conversation?  
 9 A Not in the phone conversation. I know what the "50  
 10 DNC June 19th" means.  
 11 Q What does that mean?  
 12 A What they were doing is going around trying to  
 13 enlist donors, leadership donors, to -- and they bad told  
 14 people that tky wanted tkn to raise \$50,000 by June 19th.  
 15 Q Do you know whether --  
 16 A There weren't any events schedukd.  
 17 Q Do you know whether any of the tribes who were in  
 18 the coalition of tribal opponents to tk Hudson Dog Track did  
 19 make any financial contributions to tk DNC?  
 20 A No. Again, I will go back to be very precise about  
 21 it. In my deposition in the civil suit, they raised that and  
 22 they mentioned that they bad made donations. At that point in  
 23 time I said that I did not know it. But to k precise today,  
 24 I am now aware of the fact that tky did make donations,  
 25 because in this deposition 2 months ago I was told that they

1 did not.

2 Q It is correct to say, 1995 you did not --

3 A No, I didn't.

4 Q The same question again, and I should have limited  
5 myself. But to your knowledge in 1995, AS A limitation, were  
6 you aware of any contributions made by Any of the Indian  
7 tribes opposed to the Hudson Dog Track to what is referred to  
8 here as the Committee to Reelect?

9 A No.

10 Mr. Yeager. If I might interject a clarifying question,  
11 you said that you were familiar with contributions in  
12 connection with June 19th. Do you have any reason to believe  
13 that Patrick O'Connor or Any lawyers At O'Connor & Hannan  
14 engaged in an effort to raise money in connection with the  
15 Hudson Dog Track decision?

16 The Witness. No.

17 Mr. Yeager. Do you know what Patrick O'Connor meant when  
18 he listed these items under the header "Hudson Dog Track" on  
19 this document?

20 Mr. Yeager. No. I know the bottom reference is that the  
21 Committee to Reelect had some organizing meetings, essentially  
22 a steering committee organizing meeting, and they had set  
23 targets for people to try to raise \$50,000 by June 19th.  
24 There were no events. They wanted to get commitments.

25 The rest of it. I don't know.

\*\*\* Notes \*\*\*

1 The fax was received in our offices in Washington, D.C.

2 It had been sent from Minneapolis by Pat O'Connor, and is in  
3 various places in the files, and in none of the places is it  
4 attached to the cover sheet, so we suppose that maybe it had  
5 gotten separated.

6 But I didn't remember seeing it, which is not to say that  
7 I didn't see it. I just didn't remember seeing it.

8 Q Now, aside from the contacts that we have discussed  
9 today, do you know of any other contacts between any O'Connor  
10 & Hannan personnel and Harold Ickes?

11 A No.

12 Q Do you know of any contacts between any O'Connor &  
13 Hannan personnel and Leon Panetta over the Hudson Dog Track  
14 matter?

15 A No.

16 Q Do you know of any contacts between any O'Connor &  
17 Hannan personnel and either the President or Vice President?

18 A No. Ym are talking about other than what you have  
19 shown me today?

20 Q Other than what we have discussed thus far.

21 A No. No.

22 Q And again, other than what we have already discussed  
23 so far in our review of the documents that we have been  
24 talking about, do you know of any contacts between any  
25 O'Connor & Hannan personnel and Department of the Interior

\*\*\* Notes \*\*\*

1 Mr. Yeager. Do you know if the Committee to Reelect for  
2 the 1996 campaign talked about the Hudson Dog Track  
3 application or that was part of their activity?

4 The Witness. Not to my knowledge. I never heard it. I  
5 never heard of any such reference

6 [Schneider Deposition Exhibit No. TS-6  
7 was marked for identification.]

8 BY MR. WILSON:

9 Q I am giving Mr. Schneider a document which has been  
10 marked TS-6, again, another one of the calendar entries,  
11 Daytimer entries, for Mr. O'Connor. There is a reference --  
12 it states "To Tom Snyder briefii him on problem; fax to  
13 Snyder; call the DNC"

14 Do you recall any briefings or discussions you had with  
15 Mr. O'Connor that raised what might be termed a "problem" in  
16 respect to the Hudson Dog Track matter?

17 A What I remember is the initial telephone call in  
18 early May in which he outlined what he saw, what the issue  
19 was, And he asked for my help. Other than that, I don't  
20 remember.

21 The fax to which they refer here was the one we mentioned  
22 earlier that I do not have a record of. I don't remember  
23 seeing it. When I had my deposition in the civil suit, they  
24 gave me a copy of the fax, and that was the first time I  
25 remember seeing it.

1 personnel?

2 A No.

3 Q Were you ever in any discussions during which the  
4 political affiliation of any of the proponents of the Hudson  
5 Dog Track was raised?

6 A You mean in 1995?

7 Q In 1995.

8 A No.

9 Q Were you ever in any discussions in 1995 during  
10 which Governor Thompson's position or purported positim on  
11 the Hudson Dog Track issue WAS discussed?

12 A Definitely not.

13 Q Were you ever in any discussions in 1995 during  
14 which was discussed the political Affiatim of the Minnesota  
15 tribes and Wisconsin tribes who were against the approval of  
16 the Hudson Dog Track?

17 A No.

18 Mr. Wilson. I didn't meet my 1-hour deadline. I  
19 apologize. That is all I have for right now.

20 The Witness. Mr. Yeager interrupted a couple of times,  
21 so you wouldn't have gotten done anyhow.

22 EXAMINATION BY MR. YEAGER:

23 Q Thank you, Mr. Schneider, for coming in today  
24 voluntarily on behalf of the Minority. I regret that you were  
25 put to the trouble. We recognize that you came in all the way



1 from Chicago. We appreciate ~~that, again.~~  
2 **A You are welcome.**  
3 **Q Some on our committee have suggested that there is a**  
4 **connection between funds raised at a fund-raiser held at your**  
5 **home and a decision by the Department of the Interior to deny**  
6 **the application in connection with the Hudson Dog Track. Do**  
7 **you have any reason to believe that there is any connection**  
8 **between funds raised at your event and the Department of the**  
9 **Interior's decision?**  
10 **A** I have no reason at **all**, and until this year, I  
11 didn't know that **the** two had any **relationship** to each **other**.  
12 **Q** You did not talk to the **President** about this **matter**  
13 at that **fund-raiser?**  
14 **A** No.  
15 **Mr. Knight.** About this matter, **the Hudson Dog Track**  
16 **matter?**  
17 **Mr. Yeager.** Yes. This is the July fund-raiser.  
18 **The Witness.** Right.  
19 **BY MR. YEAGER:**  
20 **Q** To your **knowledge**, did **anybody** else at your  
21 **fund-raiser talk to the President** about **the Hudson Dog Track?**  
22 **A** I was next to the President **the entire** evening, from  
23 the moment he got out of the car until k left, and **no one**  
24 **did.**  
25 **Q** So in your view, **there is absolutely** no basis to the

1 **allegation that there is a connection between your fund-raiser**  
2 **and the Interior Department's decision?**  
3 **A-** There is no relationship between the two that I have  
4 any knowledge of or could imagine.  
5 **Q** You have **testified** that you **were** of counsel and  
6 **previously** a partner in tk firm of O'Connor & Hannan.  
7 **A** Right.  
8 **Q** **Were** you aware of any strategy or plan for Patrick  
9 **O'Connor or other lawyers at that firm to raise money in**  
10 **connection with this decision by the Department of the**  
11 **Interior?**  
12 **A** No, I was not. I had ban soliciting **partners** in  
13 relation to my fund-raising **event**, and I found out in  
14 **September of 1997 that they had done a very good job of**  
15 **raising money, but not for my event. So no, I was unaware of**  
16 **any strategy of that sort.**  
17 **Q** **All right.** Thank **you again** for coming. **I have no**  
18 **further** questions.  
19 **BY MR. WILSON:**  
20 **Q** Did Harold **Ickes** attend a **fund-raiser** at your house?  
21 **A** No.  
22 **Q** Did Don **Fowler** attend the fund-raiser at your house?  
23 **A** No.  
24 **Q** On behalf of the **members** of the **committee**, thank you  
25 **very much.**

\*\*\* Notes \*\*\*

1 **Mr. Knight.** Can I just make one comment?  
2 **Mr. Wilson.** Absolutely.  
3 **Mr. Knight.** It is simply this. I told Mr. Schneider at  
4 the deposition that he could accept as **true** the  
5 **representations** made by Mr. **Varga, who was the** attorney at **the**  
6 **time, for purposes of answering the deposition. Other** than  
7 **what he was told, he** doesn't know **whether** they **were** true or  
8 **false, but he could -- I think that is what is being relayed**  
9 **here, and that it is perfectly proper that k accepted those**  
10 **representations, and that was the basis on which k answered.**  
11 **I** just wanted to make that clear.  
12 **Mr. Wilson.** I appreciate that. I **do sincerely**  
13 **appreciate the** cooperation and the **case** with which **this** has  
14 **gone forward. Thank you vay much**  
15 **off the record.**  
16 **[Whereupon, at 4:08 p.m., the deposition was concluded.]**  
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